

**ORDINANCE NO. 2021-06**

**A CAPITAL PROJECT AUTHORIZING ORDINANCE OF  
THE VILLAGE OF KEY BISCAYNE, FLORIDA,  
SELECTING CRITICAL PATH SERVICES, INC. FOR THE  
CONSTRUCTION OF A PARK LOCATED AT 530  
CRANDON BOULEVARD IN AN AMOUNT NOT TO  
EXCEED \$1,387,374; PROVIDING FOR  
AUTHORIZATION; PROVIDING FOR  
IMPLEMENTATION; AND PROVIDING FOR AN  
EFFECTIVE DATE.**

**WHEREAS**, the Village of Key Biscayne (“Village”) acquired property commonly referred to as 530 Crandon Boulevard and has designated this property for public park purposes (the “Park”); and

**WHEREAS**, after receiving public input and adopting a site plan for the Park, the Village issued a Request for Proposal to select a contractor for the construction of the Park; and

**WHEREAS**, after careful review and consideration of the proposals submitted, the Village Manager has recommended Critical Path Services, Inc. (the “Contractor”) for the construction of the Park; and

**WHEREAS**, the Village Council desires to select the Contractor for construction of the Park and to authorize the Village Manager to negotiate and execute an agreement with the Contractor consistent with the proposal attached hereto as Exhibit “A”; and

**WHEREAS**, the Village Council finds that this Ordinance is in the best interest and welfare of the residents of the Village.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:**

**Section 1.    Recitals.** That the preceding “Whereas” clauses are ratified and incorporated as the legislative intent of this Ordinance.



**Section 2.**     **Selection.** The Village Council hereby selects the Contractor for the construction of the Park consistent with the proposal, attached hereto as Exhibit "A," in an amount not to exceed \$1,387,374.

**Section 3.**     **Authorization.** The Village Manager is hereby authorized to negotiate and execute an agreement with the Contractor consistent with the proposal, attached as Exhibit "A," in an amount not to exceed \$1,387,374, subject to the Village Attorney's approval as to form, content and legal sufficiency.

**Section 4.**     **Implementation.** The Village Council hereby authorizes the Village Manager to take any and all action necessary to implement the intent and purpose of this Ordinance.

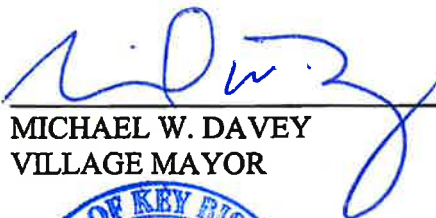
**Section 5.**     **Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

PASSED on first reading on the 11th day of June, 2019.

PASSED AND ADOPTED on second reading on the 27th day of April, 2021.


ATTEST:

  
\_\_\_\_\_  
JOCELYN B. KOCH  
VILLAGE CLERK

  
\_\_\_\_\_  
MICHAEL W. DAVEY  
VILLAGE MAYOR



APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.  
VILLAGE ATTORNEY





The Village of Key Biscayne  
88 West McIntyre Street  
Key Biscayne, Florida 33149

Attention: Mr. Todd Hofferberth  
Director of Parks and Recreation

RE. Project: Civic Center Park  
530 Crandon Boulevard  
Key Biscayne, Florida 33149  
RFP No. 2019-04

Todd,

In accordance with your request and our conversation the later part of last week, we have contacted the Sub-Contractors and requested that they refresh their costs based on today's market value.

The total cost for the project based on today's Market Value is \$1,312,374.00. Attached, please find the revised schedule of values reflecting this cost.

I have also attached the previously issued Value Engineering Items as well as the previously issued Basic Scope of Work for the project, which still apply.

It was a pleasure speaking with you yesterday afternoon, and if you have any questions or require any additional information, please do not hesitate to contact me.

Russell Hitchins

A handwritten signature in blue ink, appearing to read 'Russell Hitchins', is written over a faint, larger blue ink signature that is partially obscured.

Critical Path Services, Inc  
954.543.3090 (C)  
305.856.3919 (O)  
rhitchins@criticalpathgc.com

CONTINUATION SHEET

EXHIBIT "E" 703

PAGE 2 OF 2 Page 1 of 1

G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing

Contractor's signed Certificate is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

Revision # 4 Dated 03-19-2021

Schedule of Values

APPLICATION NUMBER: S.O.V.

APPLICATION DATE: 3/16/21

PERIOD TO:

ARCHITECT'S PROJECT NO: RFP NO. 2019-04

A	B	C	D	E	F	G	H	I				
Division # NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED				MATERIALS PRESENTLY STORED (NOT IN D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G + C)	BALANCE TO FINISH (C-G)	RETAINAGE @ 10%	
			FROM PREVIOUS APPLICATION (D+E)	QUANT	UNITS	THIS PERIOD						TOTAL Q TO DATE
1	General Conditions	\$ 197,283	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 197,283	\$ -
2	Site Demolition, Site Preparation, Drainage System & Utilities	\$ 126,165	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 126,165	\$ -
2	Tree Disposition, Relocation, Protection & Root Pruning	\$ 34,575	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 34,575	\$ -
2	Brick Paving & Concrete Paving	\$ 128,163	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 128,163	\$ -
2	Landscaping, Irrigation	\$ 195,978	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 195,978	\$ -
12	Site Furnishing	\$ 145,378	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 145,378	\$ -
15	Plumbing	\$ 15,300	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 15,300	\$ -
16	Electrical	\$ 211,900	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 211,900	\$ -
1	Payment & Performance Bond	\$ 20,100	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 20,100	\$ -
1	Insurance	\$ 32,421	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 32,421	\$ -
1	Trench Safety Act	\$ 2,000	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 2,000	\$ -
1	Contingency	\$ 50,000	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 50,000	\$ -
1	Art in Public (Allowance)	\$ 45,000	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 45,000	\$ -
1	Permit costs have been excluded	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -		\$ -	\$ -
1	Overhead & Profit	\$ 108,111	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0%	\$ 108,111	\$ -
	TOTALS Original Contract	\$ 1,312,374	\$ -			\$ -		\$ -	\$ -	0%	\$ 1,312,374	\$ -
Change Orders												
1		\$ -	\$ -	0.00	\$ -	\$ -	#DIV/0!	\$ -	\$ -		\$ -	\$ -
2		\$ -	\$ -	0.00	\$ -	\$ -	#DIV/0!	\$ -	\$ -		\$ -	\$ -
	TOTALS Change Orders	\$ -	\$ -	0.00		\$ -	#DIV/0!	\$ -	\$ -		\$ -	\$ -
	TOTALS Original Contract & Change Orders	\$ 1,312,374	\$ -			\$ -		\$ -	\$ -	0%	\$ 1,312,374	\$ -

GC INITIALS \_\_\_\_\_

SUBCONTRACTOR INITIALS \_\_\_\_\_



## Civic Center Park Scope of Work

The following items are a brief description of the scope work to be performed at Civic Center Park.

1. Demolition
  - Approx. 1,000 cubic yards of site clear and grub.
  - Removal of Existing Utility Covers.
  - Remove and storage existing pavers.
  - 12 trees and palms to be removed.
  - 6 trees and palms to be relocated.
2. Site Preparation
  - Approx. 1,000 cubic yards of sub-grade and limerock to be added for future sidewalks, pavers and site furnishing.
3. Drainage System
  - New drainage system.
  - 2 new catch basins.
  - 5 yard drains.
  - Approx. 180 lineal feet of new drainage pipe.
  - Approx. 70 lineal feet of trenchdrain.
4. New water pipe connection for water fountain.
5. New 8"x24" pavers.
  - Approx. 3,450 square feet of new pavers.
  - Paver manufacturer: Artistic Pavers. Planlock Atlantic Series.
  - Various colors to used.
6. New concrete paving.
  - Approx. 1,000 square feet of concrete paving.
    - o Stained concrete. Manufacturer: Scofield Revive.
  - Approx. 620 lineal feet of new header curbs.
  - Various concrete pads and foundations for lighting fixtures and site furniture.
7. New irrigation system
8. New landscape
  - Approx. 77 new trees and palms to be planted.
    - o Various species to be used.
  - 23 new species of shrubs to be planted.
  - New grass to be planted around the Park.
9. New site furniture to be installed.
  - New trash receptacles, benches, planters, boulders to be installed.
  - Furniture manufacturer: Planterworx, Metalco
  - New corten steel bike racks
    - o Manufacturer: Streetlife
  - New oolite boulders and slabs
  - New bronze plaques
    - o Manufacturer: Artistic Bronze
  - 14 new utility covers for existing wells.
    - o Covers to be stainless steel.

- Manufacturer: Wundercover.
- 10. New plumbing to install new drinking fountain.
  - Drinking fountain manufacturer: Elkay
  - New drinking fountain to include drywell for fountain drainage.
- 11. New electrical system to be installed.
  - New waterproof outlets.
  - New Audio/Video handholes to be installed
  - New lighting fixtures to be installed
    - Manufacturers: Bega, Arcluce, LEDlinear





### **Civic Center Park: Value Engineering**

- Allowance for Utility Underground has been removed from the scope of work.
- Custom Pergola Scope has been removed from the scope of work.
- Pump Track has been removed from the scope of work.
- Electrical Scope of Work Reduced due to Custom Pergola removal
  - o L2 quantity reduced quantity.
  - o L4 removed from the scope of work.
  - o L5 removed from the scope of work.
- Soil Suspension System removed from the scope of work.
- Site Furnishing scope of work reduced
  - o Reduction of Sculptural Boulders
- Paving Scope of Work reduced due to:
  - o Custom Pergola Removal
  - o Sculptural Boulders qty. reduction
- Permit Costs have been removed.



## MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

### STATE OF FLORIDA COUNTY OF MIAMI-DADE:

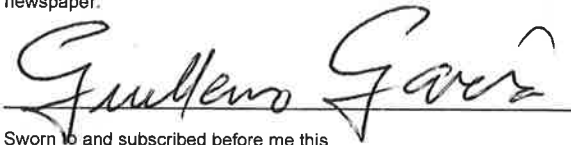
Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

VILLAGE OF KEY BISCAYNE - SECOND READING -  
ORDINANCE - APR. 27, 2021

in the XXXX Court,  
was published in said newspaper in the issues of

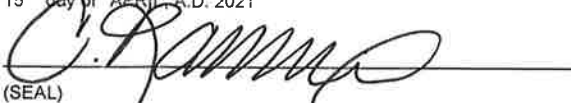
04/15/2021

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Sworn to and subscribed before me this

15 day of APRIL A.D. 2021

  
(SEAL)

GUILLERMO GARCIA personally known to me



### VILLAGE OF KEY BISCAYNE OFFICE OF THE VILLAGE CLERK SECOND READING NOTICE

Notice is hereby given that the following ordinance will be considered on Second Reading by the Village Council of the Village of Key Biscayne at a meeting to be held on Tuesday, April 27, 2021 at 6:00 p.m., in the Council Chamber, located at 560 Crandon Boulevard, Key Biscayne, Florida:

**A CAPITAL PROJECT AUTHORIZING ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SELECTING CRITICAL PATH SERVICES, INC. FOR THE CONSTRUCTION OF A PARK LOCATED AT 530 CRANDON BOULEVARD IN AN AMOUNT NOT TO EXCEED \$1,387,374; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

The proposed ordinance may be inspected by the public at the Office of the Village Clerk. Any person wishing to address the Village Council on any item at this Public Hearing may call (305) 365-7569, Zoom Meeting ID: 231 627 8415 and be heard with respect to the proposed Ordinance.

In accordance with the Americans With Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this proceeding because of that disability should contact the Office of the Village Clerk, 88 West McIntyre Street, Suite 220, Key Biscayne, Florida 33149, telephone number (305) 365-5506, not later than two business days prior to such proceeding.

Should any person desire to appeal any decision of the Village Council with respect to any matter to be considered at this meeting, that person shall insure that a verbatim record of the proceedings is made including all testimony and evidence upon which any appeal may be based (F.S. 286.0105).

Comments of any interested party relative to this matter may be submitted in writing via email to [publiccomments@keybiscayne.fl.gov](mailto:publiccomments@keybiscayne.fl.gov).

Jocelyn B. Koch  
Village Clerk  
21-98/0000524362M

4/15

